

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOHN DOE,
Plaintiff,

v.

MIAMI UNIVERSITY, et al.
Defendants

*
*
*
*
*
*
*

CIVIL ACTION NO.

**ERIC ROSENBERG'S AFFIDAVIT AUTHENTICATING
COMPLAINT'S EXHIBITS**

STATE OF OHIO :
 : SS,
COUNTY OF LICKING :

I, Eric J. Rosenberg, after being first duly cautioned and sworn according to law do hereby depose and state the following:

1. I am an attorney for Plaintiff.
2. Attached *Exhibit 1*, is a true and accurate copy of a document provided to me by Plaintiff which contains Jane Doe's statement written. The names of John Doe and Jane Doe have been redacted from this exhibit;
3. Attached *Exhibit 2*, is a true and accurate copy of a document provided to me by Plaintiff which contains text messages between Jane Doe and John Doe. The names of John Doe and Jane Doe have been redacted from this exhibit;
4. Attached *Exhibit 3*, is a true and accurate copy of a September 16, 2014 communication between Defendant Miami University's ("Miami") Associate Vice President of Dean Of Students Michael Curme ("Dean Curme") and John Doe. The name of John Doe has been redacted from this exhibit. The document in this exhibit was provided to me by John Doe;
5. Attached *Exhibit 4*, is a true and accurate copy of a September 17, 2014 communication between Miami Associate Vice President of Dean Of Students Michael Curme ("Dean

Curme”) and John Doe. The name of John Doe has been redacted from this exhibit. The document in this exhibit was provided to me by John Doe;

6. Attached *Exhibit 5*, is a true and accurate copy of a September 24, 2014 communication between Curme and John Doe. The name of John Doe has been redacted from this exhibit. The document in this exhibit was provided to me by John Doe;
7. Attached *Exhibit 6*, is a true and accurate copy of a September 23, 2014 communication between Miami’s Office of Ethics and Student Conflict Resolution’s (“OESCR”) Director Susan Vaughn (“Director Vaughn”) and John Doe. The name of John Doe has been redacted from this exhibit. The document in this exhibit was provided to me by John Doe;
8. Attached *Exhibit 7*, is a true and accurate copy of a Procedural Review form signed by John Doe. The name of John Doe has been redacted from this exhibit. The document in this exhibit was provided to me by John Doe;
9. Attached *Exhibit 8*, is a true and accurate copy of Miami 2014-15 University’s Student Handbook (“MUSH”). The document in this exhibit was provided to me by John Doe;
10. Attached *Exhibit 9*, is a true and accurate copy of Miami 2014-15 Title IX Protocol. The document in this exhibit was provided to me by John Doe;
11. Attached *Exhibit 10*, is a true and accurate copy of a document provided by Miami in response to John Doe’s public records request. Jane Doe’s name has been redacted from this exhibit;
12. Attached *Exhibit 11*, is a true and accurate copy of an email provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
13. Attached *Exhibit 12*, is a true and accurate copy of a document provided by Miami in response to John Doe’s public records request. Jane Doe’s name has been redacted from this exhibit;
14. Attached *Exhibit 13*, is a true and accurate copy of findings issued by the U.S. Department of Justice (“DOJ”) on May 9, 2013 regarding University of Montana;
15. Attached *Exhibit 14*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
16. Attached *Exhibit 15*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
17. Attached *Exhibit 16*, is a true and accurate copy of a document provided by Miami in response to John Doe’s public records request;

18. Attached *Exhibit 17*, is a true and accurate copy of a document provided by Miami in response to John Doe's public records request;
19. Attached *Exhibit 18*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
20. Attached *Exhibit 19*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
21. Attached *Exhibit 20*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
22. Attached *Exhibit 21*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
23. Attached *Exhibit 22*, is a true and accurate copy of the Association of Title IX Administrators' ("ATIXA") Tip of the Week Newsletter dated April 24, 2014;
24. Attached *Exhibit 23*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
25. Attached *Exhibit 24*, is a true and accurate copy of a document provided to me by John Doe. The name of John Doe has been redacted from this exhibit;
26. Attached *Exhibit 25*, is a true and accurate copy of *Rolling Stone's* retraction of its article entitled *A Rape on Campus: A Brutal Assault and Struggle for Justice at UVA*;
27. Attached *Exhibit 26*, is a true and accurate copy of Docket 15 from *Sahm v. Miami University*, United States District Court For The Southern District of Ohio, Western Division, Case No. 1:14-cv-698;
28. Attached *Exhibit 27*, is a true and accurate copy of Docket 20 from *Sahm v. Miami University*, United States District Court For The Southern District of Ohio, Western Division, Case No. 1:14-cv-698;
29. Attached *Exhibit 28*, is a true and accurate copy of Docket 20-1 from *Sahm v. Miami University*, United States District Court For The Southern District of Ohio, Western Division, Case No. 1:14-cv-698;
30. Attached *Exhibit 29*, is a true and accurate copy of Docket 21 from *Sahm v. Miami University*, United States District Court For The Southern District of Ohio, Western Division, Case No. 1:14-cv-698;
31. Attached *Exhibit 30*, is a true and accurate copy of The White House's April 2014 report entitled "Not Alone" which was produced pursuant to John Doe's public records request;

32. Attached *Exhibit 31*, is a true and accurate copy of The White House Counsel on Women and Girls' January 2014 publication entitled *Rape and Sexual Assault: A Renewed Call to Action* which was produced pursuant to John Doe's public records request;
33. Attached *Exhibit 32*, is a true and accurate copy of Title IX training Miami employees received in September 2014 which was produced pursuant to John Doe's public records request;
34. Attached *Exhibit 33*, is a true and accurate copy of Miami's Student Affairs Counsel's February 20, 2013 Minutes produced pursuant to John Doe's public records;
35. Attached *Exhibit 34*, is a true and accurate copy of a March 3, 2015 Miami press release;
36. Attached *Exhibit 35*, is a true and accurate copy of <https://www.whitehouse.gov/blog/2014/09/19/presidentobamalaunchesitsuscampaignedsexualassaultcampus>;
37. Attached *Exhibit 36*, is a true and accurate copy of a document provided by Miami in response to John Doe's public records request;
38. Attached *Exhibit 37*, is a true and accurate copy of Emily Yoffe's Dec. 7, 2014 article from *Slate* entitled The College Rape Overcorrection.
39. Attached *Exhibit 38*, is a true and accurate copy of Miami's Jan. 18, 2013 *Final Report of the Task for the Prevention of Sexual Assault*.
40. Attached *Exhibit 39*, is a true and accurate copy of Miami's 2012 "*Facts At A Glance*" publication;
41. Attached *Exhibit 40*, is a true and accurate copy of Miami's *Acquaintance Rape Resource Guide*;
42. Attached *Exhibit 41*, is a true and accurate copy of *Miami's Title IX Education & Awareness Program* from 2014 produced by Miami in response to John Doe's public records request;
43. Attached *Exhibit 42*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request. The last names of the students on this document are redacted.
44. Attached *Exhibit 43*, is a true and accurate copies of articles related to Miami Student Amy Mirisena's lawsuit against Miami;
45. Attached *Exhibit 44*, is a true and accurate copy of Amy Mirisena's Complaint in *Mirlisena v. Miami University*, Court of Common Pleas Butler County Ohio;

46. Attached *Exhibit 45*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
47. Attached *Exhibit 46*, is a true and accurate copy of Bryana H. French, Jasmine D. Tilghman, Dominique A. Malebrahche's article *Sexual Coercion Context and Psychosocial Correlates Among Diverse Males* from the *Journal of Psychology of Men and Masculinity*, 2015 Vol.16, No., 1 42-43;
48. Attached *Exhibit 47*, is a true and accurate copy of Lizzie Crocker's article *Can Boys Be 'Coerced Into Sex* from March 28, 2014 edition of *The Daily Beast*;
49. Attached *Exhibit 48*, is a true and accurate copy of *A Brief History of Miami's Response to Sexual Assault*;
50. Attached *Exhibit 49*, is a true and accurate copy of <https://www.muohio.edu/studentlife/offcampusaffairs/safety/sexualassault>;
51. Attached *Exhibit 50*, is a true and accurate copy of Miami's March 3, 2015 publication entitled "It's On Us: Miami promotes awareness about sexual assault prevention."
52. Attached *Exhibit 51*, is a true and accurate copy of page from website for Miami's Women Against Violence and Sexual Assault;
53. Attached *Exhibit 52*, is a true and accurate copy of Miami's April 3, 2015 publication entitled Miami Middleton sponsors Sexual Assault Awareness Month;
54. Attached *Exhibit 53*, is a true and accurate copy of Sept. 20, 2013 minutes from Miami's Board of Trustees' meeting;
55. Attached *Exhibit 54*, is a true and accurate copy of Miami's Sexual Assault And Interpersonal Violence Prevention, Education, and Resources;
56. Attached *Exhibit 55*, is a true and accurate copy of page from website for Miami's Men Against Rape and Sexual Assault;
57. Attached *Exhibit 56*, is a true and accurate copy of is a true and accurate copy of page from website for Miami's Men Against Rape and Sexual Assault;
58. Attached *Exhibit 57*, is a true and accurate copy of Miami's publication entitled: If It Happens to You or Someone You Know;
59. Attached *Exhibit 58*, is a true and accurate copy of Miami President David Hodges' Jan. 28, 2013 letter to Miami Community;
60. Attached *Exhibit 59*, is a true and accurate copy of *Dayton Daily News*' August 29, 2014 article entitled *Local Colleges React to California's Sex Assault Law*;

61. Attached *Exhibit 60*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
62. Attached *Exhibit 61*, is a true and accurate copy of ATIXA's "2014 Whitepaper" entitled *Equity Is Such A Lonely Word*;
63. Attached *Exhibit 62*, is a true and accurate copy of selected pages of 2012-13 version of MUSH provided in response to John Doe's public records request;
64. Attached *Exhibit 63*, is a true and accurate copy of selected pages of 2011-12 version of MUSH provided in response to John Doe's public records request;
65. Attached *Exhibit 64*, is a true and accurate copy of selected pages of the 2013-14 version of MUSH produce in response to John Doe's public records request;
66. Attached *Exhibit 65*, is a true and accurate copy of Miami's *Student Affairs Counsel's September 17, 2014 Minutes* which were produced pursuant to John Doe's public records;
67. Attached *Exhibit 66*, is a true and accurate copy of Janet Halley's Feb. 12, 2015 article in the Harvard Law Review entitled *Trading the Megaphone for the Gavel in Title IX Enforcement*;
68. Attached *Exhibit 67*, is a true and accurate copy of Robin Wilson's Sept. 3, 2014 article in The Chronical of Higher Education entitled *Presumed Guilty*;
69. Attached *Exhibit 68*, is a true and accurate copy of February 18, 2015 *Open Letter From Members of the Penn Law School Faculty: Sexual Assault Complaints: Protecting Complainants and The Accused At Universities*;
70. Attached *Exhibit 69*, is a true and accurate copy of Oct. 15, 2014 *Open Letter From Members of Harvard Law School entitled Rethink Harvard's sexual harassment policy*;
71. Attached *Exhibit 70*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
72. Attached *Exhibit 71*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
73. Attached *Exhibit 72*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
74. Attached *Exhibit 73*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
75. Attached *Exhibit 74*, is a true and accurate copy of is a true and accurate copy of documents produced by Miami in response to John Doe's public records request;

76. Attached *Exhibit 75*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
77. Attached *Exhibit 76*, is a true and accurate copy of is a true and accurate copy of a document produced by Miami in response to John Doe's public records request;
78. Attached *Exhibit 77*, is a true and accurate copy of Richard Dorment's Mar. 25, 2015 article in Esquire entitled *Occidental Justice: The Disastrous Fallout When Drunk Sex Meets Academic Bureaucracy*
79. Attached *Exhibit 78*, is a true and accurate copy of Ashe Schow's July 14, 2015 article in the Washington Examiner entitled *Double-Standard on campus sexual assault hearings*; and
80. Attached *Exhibit 79*, is a true and accurate copy of The Economist's Dec. 6, 2014 article entitled *Sex Crimes on Campus Professors as Judges: the folly of letting amateurs handle serious crimes*

Further Affiant Sayeth Naught,

Eric J. Rosenberg

Sworn to before me and subscribed in my presence this 17 the day of September 2015.

Notary Public

